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Contact: Micah Swafford  
202-225-2132

## Istook Presses State Leaders to Protect Teens from Sexual Predators

Washington, D.C. -- Congress has removed a barrier that shielded sexual predators, and Congressman Ernest Istook (R-OK) is urging state officials nationwide to take advantage of it, and act to protect teen girls from the older men who prey upon them.

In a letter to all state legislative leadership and state attorney generals, Istook urges them to assure that federally-funded clinics no longer claim “confidentiality” as a reason not to report it when older men are sexually-active with underage minors. Previously, federal “Title X” clinics have provided contraceptives to underage youth, and treatment for sexually-transmitted diseases, but failed to report it to authorities, despite laws against statutory rape, taking indecent liberties with a minor, etc.

Last year, through Istook’s efforts, Congress changed the underlying privacy provisions, and the President signed the change into law. Now, federally-funded clinics are expressly not exempt from state laws requiring that child abuse, child molestation, sexual abuse, rape, or incest be reported to law enforcement or child protection agencies.

The text of the letter follows:

Dear Attorney General:

Congress has made a significant change in federal law, so that states and communities can better protect children and youth from sexual abuse.

For years, sexually-active young people, even those below the age of consent, have been able to receive contraceptives and treatment of sexually-transmitted diseases (STDs) from federally-aided clinics (“Title X clinics”). This has undercut the laws designed to protect underage youth from sexual predators, laws which often require reporting (especially by health care professionals) of offenses against a minor.

Commonly the situation involves an adult partner who is sexually involved with the minor, sometimes due to coercion or undue influence, and sometimes due to “consent” by a minor who the law does not consider competent to give consent. (This includes, for example, statutory rape.) Due to privacy and confidentiality concerns, Title X clinics did not necessarily report to authorities about these persons illegally involved with a minor who is under the age of consent, no matter how young they were.

To correct this, a crucial provision (which I authored) was added via the 1999 Omnibus Appropriations Bill (HR 4328, PL.105-277), which funds the Department of Health and Human Services (HHS). This new section concerns the Title X program. The new law, as passed by Congress and signed by the President, reads:

Sec 219. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Services Act shall be exempt from any State law requiring notification, or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

This provision was added because State laws requiring reporting were being ignored in some Title X clinics. This is documented further by a study done by the American Bar Association. The ABA gathered responses from criminal justice and youth service agencies, concerning relationships among over-aged males with minor girls:

“One in five providers volunteered that they ask about the current sexual partner, including his age ... One fifth of our sample revealed they do not discuss either sexual history/molestation history or the age/involvement of the male partner at the first meeting ... *Many of the respondents reveal that they do not report sexual relationships between adult males and young teen girls to law enforcement or child protection agencies.*” (**Sexual Relationships Between Adult Males and Young Teen Girls**, American Bar Association, Oct. 1997, p.10-11)

With other Members of Congress, I asked HHS for specific enforcement of this new provision and clear compliance with State laws. Enclosed are our correspondence to HHS and the guidance statement HHS has recently issued to its Regional Health Administrators.

I hope you will alert all appropriate authorities, agencies and enforcers in your state. They are no longer blocked by federal law as they work to enforce your state and local laws that protect our youth against sexual predation.